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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/730,538	12/07/2000	Kerry Clendinning	2043.061US1	9351
49845 7590 02/28/2007 SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH/EBAY P.O. BOX 2938 MINNEAPOLIS, MN 55402			EXAMINER RIMELL, SAMUEL G	
			ART UNIT 2164	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			02/28/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 09/730,538	Applicant(s) CLENDINNING ET AL.	
	Examiner Sam Rimell	Art Unit 2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19,21,23,24 and 26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19,21,23-24, 26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.


Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2164

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-19, 21, 23-24 and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Perkowski (U.S. Patent 5,950,173).

Claim 1: Figures 4A1, 4A2 and 4B illustrate a relational table that form part of a database. The identifiers are the column headings, such as “Registrant’s Name” and “Product Description”. For each identified product (which is listed in each row) a plurality of product attributes are provided, such as a company name, a company product model, a trademark, and a URL where the user can obtain more information about that product.

Column 25, lines 1-64 describe five different data collector mechanisms which are capable of collecting data for building the relational database. Each described data collector retrieves data from sources and normalizes the data by inserting the data into the predefined columns of the tables in FIGS. 4A1, 4A2 and 4B. The information which is collected is attribute information for a product. For example, in FIG. 4A1, the product in the third row is tooth paste and one of its several attributes is the trademark “Crest”. The association of the “Crest” Trademark with “Tooth Paste” product is one example of a first attribute→value pairing in the data.

The normalization engine is the processor which populates the tables of FIGS 4A1, 4A2 and 4B with data identified by the data collector. Each row of the table includes first attribute, such as the Trademark “Crest”, a value associated with that attribute, such as the Product

Art Unit: 2164

Description "ToothPaste" and second attribute associated with the first attribute, such as the Registration Name "Proctor & Gamble". The second attribute is a canonical representation of the other attributes in the sense that it is an alternative representation associated with the other attributes and is made in accordance with a canon (a relation, such as a relational table).

Claim 2: The identifiers shown in the tables of FIGS 4A1, 4A2 and 4B include manufacturer's identifiers, such as trademarks and part numbers, such as serial numbers (column marked "IP/SN"). The part numbers may be referred to as a "distributor part number", as well as a manufacturer part number by reason that the manufacturer may also be considered a distributor.

Claim 3: Features of the product are stored in a product description field as shown in FIG. 4A1, and a product specification field as shown in FIG. 4A2.

Claim 4: Each product illustrated in the tables of FIGS. 4A1, 4A2 and 4B includes an "IP/SN" which appears to be a unique product serial number.

Claim 5: The tables of FIGS 4A1, 4A2 and 4B define a relational database. As in any relational database, any row of the database is a tuple.

Claim 6: The database is controlled by SQL or formed on an SQL server (col. 12, line 45).

Claim 7: The database may be replicated in various servers (such as 11 and 12) as part of a distributed network (FIG. 2A1).

Claim 8: The distributed network may be the Internet (col. 11, line18).

Art Unit: 2164

Claim 9: Any server in the system of FIG. 2A1 may be read as “third party servers” since they are separate from the facilities of the clients (c1....cn) and the manufacturers who provide the data.

Claim 10: Perkowski discloses the concept of gathering product information from diverse manufacturers and loading the product data into a database, as illustrated by the tables of FIGS. 4A1, 4A2 and 4B.

For products that are already in the database, col. 25, lines 47-54 describe a procedure where product information, such as the URL, can be updated. FIG. 4A2 illustrates a column (third from left) where the updated URL information is held. A second column (first from left) has the original URL. Accordingly, FIG. 4A2 establishes a representation of data (a table) that includes new attribute information (updated URL) related to an alias (original URL). This relationship between the updated URL and original URL can be defined as an attribute→value paring. The registrant’s name can be a second attribute. The second attribute is a canonical representation of the other attributes in the sense that it is an alternative representation associated with the other attributes and is made in accordance with a canon (a relation, such as a relational table).

For products that are not already in the database, the gathered data is formatted into the database and stored in the relational tables of FIGS. 4A1, 4A2 and 4B. This data includes product identifiers and product information laid out in relational tables.

Claim 11: See remarks for claim 9.

Claim 12: The information gathered by the system on Perkowski includes general descriptions, user ratings and reviews, general descriptions, vendors, prices and profiles (See

Art Unit: 2164

FIGS. 4A1, 4A2 and 4B. The user can be displayed any of the information associated with a given product when a query for that product is made (col. 31, lines 5-26 and col. 31, lines 50-65). The data is transformed (placed into the tables of FIGS. 4A1, 4A2, 4B): Both the raw data and the transformed data populated into the tables have attribute→value pairings. For example, the association between the trademark “Crest” and “Toothpaste” is a first attribute→value pairing. A second attribute is associated with the first attribute, such as the Registration Name “Proctor & Gamble”. The second attribute is a canonical representation of the other attributes in the sense that it is an alternative representation associated with the other attributes and is made in accordance with a canon (a relation, such as a relational table).

Claim 13-15: When the user makes a query for a product, the user can be displayed a product/service list (“specifications” of col. 31, line 9); a class list (“incentives” of col. 31, line 14); and a feature list (“operations descriptions” of col. 31, line 11). The user can input selections for any one of these forms of feedback (“electronic data transactions screens” col. 31, line 14).

Claim 16: The user can be presented a picture of the product (“product simulation” col. 31, line 11).

Claim 17: The user can add information via updates (update field of FIG. 4A2).

Claim 18: The user can add ratings (product review information field of FIG. 4A2).

Claim 19: The reviews can comprise a plurality of reviews, either for one product or a collection of reviews based upon multiple products.

Claim 21: The character string associated with the product description can be linked to unique integer identifiers, such as serial numbers (FIG. 4A1). The tables of FIGS. 4A1, 4A2 and 4B, constitute a file and client queries involve traversing the data in this file.

Art Unit: 2164

Claim 23: See remarks for claim 10.

Claim 24: See remarks for claim 12.

Claim 26: See remarks for claim 1.

Remarks

Applicant's arguments have been considered.

With respect to claim 10, Applicant argues that Perkowski does not disclose translating a first attribute to a second attribute. This argument is not correct. In FIGS. 4A1, 4A2 and 4B, Perkowski presents a relational table having rows and columns. Each row of data has attributes, such as "Crest" and "Proctor and Gamble" and values, such as "ToothPaste". Any given first attribute is translated to a second attribute by being associated in the table with the first attribute. The nature of the translation is not defined in the claims, so the only requirement is that some manner of translation exist. Applicant also argues that Perkowski does not disclose translation in response to identifying. The identification of an attribute is the action of the data collector is identifying data used to populate the data tables of FIGS. 4A1, 4A2 and 4B.

In support of the arguments to claim 10, applicant also points to a quotation from col. 9, lines 26-35 of Perkowski. However, since the examiner is not relying on this quotation for support of the rejection, the discussion at this quotation is moot.

It is additionally noted that the independent claims of record do not elaborate on the nature of the translation. Merely reciting that the translation is made from a first attribute to a second attribute only indicates the results of the translation, without giving any indication as to

Art Unit: 2164

how the translation is performed. Accordingly, the term translation can be interpreted broadly as

L ~~in~~ any manner of conversion resulting in at least two attributes.

Applicant's position with respect to the remaining independent claims is recited to be analogous to the position for claim 10.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (571) 272-4084.



Sam Rimell
Primary Examiner
Art Unit 2164